sult was that justice was not properly administered and the people suffered much in consequence. To obtain relief by preferring appeals was equally futile. For, the appellate courts were also presided over by revenue officers, who had multifarious duties to attend to. There was also another evil in placing the magistrates under the executive officers. The magistrates were inclined to favour the Sirkar in the excise and forest cases and also the police charges, in which the Sirkar was a party; and the parties failed to get proper justice in such cases. The Member therefore requested that the judicial functions should be taken away from the executive officers and the magistracy placed under the control of the High Court.

The second point was in regard to the under-trial prisoners. The maxim of law was that they should be considered to be innocent until the contrary was established. But that wholesome principle was forgotten and the under-trial prisoners were now treated worse than the convicts. The latter were supplied with clothing and good meals. They were also allowed occasional baths and shave. There was a medical officer to take care of their health. None of those conveniences were enjoyed by the under-trial prisoners. It was also pretty well established that the increase in the sicknesss in the Central Prison was not a little contributed to by the contact of the inmates with the men coming to it from the Mofussil jails. He therefore requested that arrangements should be made to accord to the under-trial prisioners at least the same treatment as was given to convicts. He added that, though the question was being pressed from the Second Session, nothing had been yet done in the matter.

The Member next requested that the system of trial by jury should be introduced in Travancore. The question was not a new one, but had been under consideration since 1040. For some reason or other, the Bill introduced into the Legislative Council was thrown out. The people of British India were enjoying the privilege and it could not be contended that the people of the State were not fit to receive the same. He prayed that the matter might receive early attention.

Lastly, the Member said that juvenile offenders should not be tried by the ordinary Courts but separate Courts should be established for them. Under the present arrangement, the juveniles studied during the trial the ways and means of escaping conviction, and thereafter they committed several offences with a degree of boldness, and eventually they were the men who became hardened criminals. He advocated the creation of honorary magistrates for trying juvenile offenders.

Dewan's reply.—Noted. The question of the treatment of under-trial prisoners is under consideration.

29. The need for shifting the Stationary Magistrate's Court at Sherthallai to Kalavur.

Mr. M. K. Narayana Panicker (Member, Sherthallai taluk) said that the people experienced considerable inconvenience owing to the transfer of Ariyad (South and North) and Mararikulam South *pakuthies* from the jurisdiction of the Alleppey Town Magistrate to that of the Stationary Magistrate at Sherthallai. To obviate the difficulties, he had intended to move for the transfer of the Court from Sherthallai to Kalavur. But as the *pakuthies* had since been retransferred to the Alleppey Magistrate, he had nothing more to say.

Dewan's reply.—Noted.

30. Re-establishment of the Magistrate's Court at Kanjirappalli.

Mr. R. Krishna Panicker (Member, Peermade taluk) said that the Government had, as early as in 1040, established at Kanjirappalli a Police Amin's Court, which, in 1070, was altered to a Second Class Magistrate's Court. In 1083, it was made a Magistrate-Munsiff's Court; but, in 1088, to the utter disappointment of the people, the Magistrate's Court was transferred to Mundakayam. The hardships caused to the people by the transfer of the *pakuthies* of Kanjirappalli, Pon-

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kunnam, Chirakadavu, Cheruvalli, Thampalakad &c., were too many to be described. Further, in Ponkunnam, there was a market, growing in importance. There was also a pettah of the Mahomedans. The *cherikal* cultivation had attracted a large number of people to the locality. Though Mundakayam might be the centre if the area from east to west was considered, still the bulk of the population was on the Kanjirappalli side. Towards the Mundakayam side, there were only the estate coolies. If the records of the defunct Magistrate's Court at Kanjirappalli and those of the Court at Mundakayam were examined, the need for shifting the Court to Kanjirappalli would become clear. He prayed, therefore, that the Magistrate's Court might be re-established at Kanjirappalli.

Dewan's reply.—The District Magistrate of Devikulam will be asked to report about this.

(3) Civil Justice.

31. Certain irregularities of the Civil Courts.

Mr. A. Krishna Pillai (Member, Trading Classes, Kayenkulam) mentioned the following as some of the irregularities which characterised the procedure in the Civil Courts and he requested that early action might be taken to rectify them.

(1) In appealable cases, the judgments of the lower Courts were printed in private presses at the cost of the parties. There was inordinate delay in printing the judgments and it not infrequently happened that the appeals became time-barred owing to that delay. As soon as information as to the printing charges was ascertained from the press, he suggested that a notice should be published at the court-house, stating the fees to be paid by the parties, and 15 days' time from the date of publication should be allowed to the parties to deposit the fees.

(2) Witnesses suffering from infectious diseases should not be examined by the Courts in the common witness-box ; but they should be caused to be examined in a separate place in the Court, if separate witness-boxes could not be provided.

(3) When copies of *thandaper* accounts of several years obtained on one application were filed as evidence for one side in a suit, the Courts now insisted on a half-rupee stamp being affixed to each year's accounts. One half-rupee should suffice, if the accounts were filed as evidence in one and the same case and were obtained on a single application.

(4) In cases posted on a date for the appearance of the defendant or for his written statement, if the defendant should be absent, some Courts asked the plaintiff to make an application for the adjournment of the case to another date. As the default was not the plaintiff's, the Courts should adjourn such cases on their own motion.

(5) In cases in which the defendant questioned the market value of a property forming the subject-matter of a suit as specified in the plaint, the plaintiff was compelled to deposit the batta for the commissioner to be appointed. The defendant should be made liable for paying the batta in such cases.

(6) If a suit filed to set aside a document in which more than one prior transaction was referred to, the Courts demanded registration fees at $5\frac{1}{4}$ fanams for each of the deeds relating to the several prior transactions. The document to be set aside being only one, a fee of $5\frac{1}{4}$ fanams should alone have to be paid.

(7) The Court Fees Regulation prescribed that, in the case of leases for stated periods, the court-fee should be calculated at 1/5 of the full *pattom* for the period specified in the lease. In the case of a lease for one year, some Courts received only 1/5 of a year's *pattom* as court-fees; while others received a full year's *pattom* on the ground that the lease had actually continued for more than a year by the time the suit came to be filed. There should be uniformity in the levy of fees.

(8) In small cause suits, it was now discretionary with the Courts to award vakil's fees. As the parties could not get on without vakils, it should be obligatory to decree vakil's fees.

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